

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION

RECKO ELLIS,

Plaintiff,

VS.

SGT. PATTERSON,

Defendant.

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CIVIL ACTION FILE NO.  
**7: 07-CV-25 (HL)**

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**RECOMMENDATION**

Presently pending in this *pro se* prisoner § 1983 action are several motions filed by plaintiff.

***Plaintiff's Motion for Summary Judgment (doc. 12)***

Plaintiff files this motion for summary judgment, stating that he is requesting a motion for summary judgment, and filing a statement from a witness. This is basically one sentence.

Furthermore, plaintiff never served this motion on defendant, instead asking the clerk of court to send a copy to defendant.

This motion is inadequate on its face and moreover has not been properly served. Plaintiff is admonished to follow the Federal Rules of Civil Procedure, and that he is responsible for serving defense counsel with all filings.

It is consequently the RECOMMENDATION of the undersigned that this motion be

**DENIED.**

***Plaintiff's Motion for Judgment (doc. 15)***

In this motion, plaintiff asks for summary judgment because defendant did not reply to the motion. As noted above, plaintiff never sent defendant a copy of the motion, therefore,

defendant was not required to file a response thereto. Consequently, it is the RECOMMENDATION of the undersigned that this motion be **DENIED**.

***Plaintiff's Motion (doc. 16)***

This motion is apparently an order submitted by plaintiff for the defendant to file an answer to his motion for summary judgment. It is the RECOMMENDATION of the undersigned that this motion be summarily **DENIED**.

***Plaintiff's Motion for Summary Judgment (doc. 19)***

This is another motion for summary judgment filed by plaintiff. While this one is far more substantive than his previous efforts, plaintiff still did not send a copy of the motion to the defendant, instead relying upon the Clerk of Court to send a copy as is evidenced by plaintiff's certificate of service. For that reason, it is the RECOMMENDATION of the undersigned that this motion be **DENIED**, but that plaintiff may file a properly supported and served motion if he chooses to do so.

Pursuant to 28 U.S.C. § 636(b)(1), the parties may file written objections to this recommendation with the Honorable Hugh Lawson, United States District Judge, WITHIN TEN (10) DAYS of receipt thereof.

**SO RECOMMENDED**, this 10<sup>th</sup> day of January, 2008.

//S Richard L. Hodge  
RICHARD L. HODGE  
UNITED STATES MAGISTRATE JUDGE